



**Trade Union Side of the National Joint Council for Local Government Services:  
England, Wales and Northern Ireland**

## **NJC CONDITIONS CLAIM 2021-2022**

This conditions claim accompanies the NJC pay claim for 2021/22 and is made by the Joint Trade Union Side (UNISON, GMB and UNITE) to the Local Government Association.

**Our claim is for:**

- Introduction of a homeworking allowance for all staff who are working from home.
- A national minimum agreement on homeworking policies for all councils
- A reduction of the working week to 35 hours with no loss of pay, and a reduction to 34 hours a week in London. Part-time staff to be given a choice of a pro rata reduction, or retaining the same hours and being paid a higher percentage of FTE
- A minimum of 25 days annual leave plus public holidays and statutory days for all starting employees plus an extra day holiday on all other holiday rates that depend on service.
- An agreement on a best practice national programme of mental health support for all local authorities and school staff.
- A joint review of job descriptions, routes for career developments and pay banding for school support staff, and completion of the outstanding work of the joint term-time only review group.
- A joint review of the provisions in the Green Book for maternity / paternity / shared parental /adoption leave.

15 February 2021

## **1. Introduction**

This condition claim sits alongside the NJC pay claim as a separate but equal basis for negotiations.

The claim is based on the same context and economic background as the pay submission but covers more depth on specific conditions that the Trade Union Side is seeking to improve. Each claim item will be dealt with in turn below.

## **2. The Covid Crisis**

Local government workers have been on the frontline of the fight against Covid-19 and many of these workers have risked their lives and the safety of their loved ones to keep our communities safe and infrastructure running. Local authority workers have experienced increased anxiety and stress, while their jobs have become more complicated through social distancing rules, added PPE and the impact of those people not abiding by government guidelines.

In many cases, members have not been properly protected and as a result have fallen ill or tragically died.

These include workers in the refuse and waste sector, social care, social workers, crematorium workers, parks, school and nursery staff, housing workers, registry staff and those managing the public health and community support efforts up and down the country.

So far in most of the local government sector these heroic efforts have been recognised in words only, with a few exceptions of local authorities that have offered Covid payments or improvements to leave in recognition. Similarly in Wales, Scotland and Northern Ireland there have been national initiatives to give a Covid payment to staff in social care workers and the NHS.

This is one reason why the Trade Union Side believes strongly that a meaningful and significant pay rise is needed for all local authority staff, as highlighted in the joint pay claim.

Similarly a significant number of local authority staff have had to move their workplace into their own homes as a result of the Covid pandemic. In most cases this has happened with little to no preparation, risk assessments or financial support. Given the emergency, staff have continued to carry out their work with grit and determination despite the added strain that such an arrangement has placed on them and their families.

Working from home is not the same for any individual and the experience depends significantly on someone's income, living arrangements, family life and caring responsibilities.

Through HMRC, people whose primary place of work is their home can receive discounted tax rates, or their employer may pay them £6 extra per week tax-free, but this does not cover the added costs associated with utility bills, cleaning and housing costs that many of our members have faced. Homeworking staff should receive a homeworking allowance to compensate them for the use of their home as an office for the council. The allowance needs to be at a level that minimises tax implications while also being a meaningful amount to cover the various expenses incurred through working from home – such as internet and heating costs.

The Trade Union Side believes that all councils must have a homeworking policy in place and that it should include:

- **Introduction of a homeworking allowance for all staff who are working from home**

- **A national agreement on homeworking, setting out a homeworking policy that all authorities must use as a minimum**

The homeworking allowance and policy should be devised in such a way that does not penalise groups of workers who are unable to work from home and who bear additional costs associated with having to go out to work (bus/train fares, parking, food).

### **3. Holidays and working time**

As highlighted within the NJC pay claim the UK is suffering from an epidemic of stress and anxiety and local authority workers are disproportionately affected.

HSE statistics point to stress, depression or anxiety as the highest cause of work-related ill health and the cause of over half of all days lost to work-related ill health in 2019/20<sup>1</sup>. The predominant cause of work-related stress, depression or anxiety from the Labour Force Survey was workload, in particular tight deadlines, too much work or too much pressure or responsibility - the biggest single cause of sick leave by some distance.

Analysis by the Health and Safety Executive (HSE) of Labour Force Survey statistics also shows that this is an acute issue within local authority services with human health and social work, public administration and education all accounting for some of the highest levels of average rates of stress, depression or anxiety<sup>2</sup>.

Sickness absence levels can be seen as a proxy indicator for the wellbeing of staff and this has been recognised by the LGA in its 2019 Workforce Focus report<sup>3</sup>. When compared cross sector, local authority sickness rates are running at over double those for the economy as a whole.

In contrast to local authority statistics, the Labour Force Survey<sup>4</sup> shows that economy-wide sickness absence has broadly been falling over the last two decades.

The negative impacts of long hours and high workloads are well documented causes of this sort of sickness. Long hours can lead to serious and long term mental and physical ill health, stress, fatigue and increases in workplace accidents<sup>5</sup>. For example researchers that studied<sup>6</sup> the work habits of more than 600,000 people in the US, UK, and Australia, found that people who work more than 55 hours a week are 33% more likely to suffer a stroke and have a 13% greater risk of heart attack than those who work 35-40 hours weekly.

Research also shows the impact that long hours can have in decreasing productivity within organisations<sup>7</sup>, lowering morale and leading to increased staff turnover<sup>8</sup>.

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<sup>1</sup> HSE Annual Statistics Annual Statistics, November 2020

<sup>2</sup> HSE Health and safety at work, summary statistics, November 2020

<sup>3</sup> LGA, Workforce Focus, April 2019

<sup>4</sup> ONS, Sickness absence in the UK labour market, November 2019

<sup>5</sup> [http://www.hse.gov.uk/research/hsl\\_pdf/2003/hsl03-02.pdf](http://www.hse.gov.uk/research/hsl_pdf/2003/hsl03-02.pdf)

<sup>6</sup> [https://www.thelancet.com/journals/lancet/article/PIIS0140-6736\(15\)60295-1/fulltext](https://www.thelancet.com/journals/lancet/article/PIIS0140-6736(15)60295-1/fulltext)

<sup>7</sup> <http://ftp.iza.org/dp8129.pdf>

<sup>8</sup> <https://www.employment-studies.co.uk/system/files/resources/files/352.pdf>

In contrast studies have found that reducing working time and taking holidays is extremely good for morale and health - it can even prolong lives<sup>9</sup>. Researchers who studied 974 vacationers from the Netherlands discovered that even planning for a holiday makes people happier before they go<sup>10</sup>. Researchers have also shown that more time off improves productivity and is therefore good for employers and the economy as a whole.<sup>11</sup>

Reducing working time has wider societal benefits too. It gives staff more time to contribute to society, supporting family and friends, volunteering or getting more involved in the wider community or politics. The New Economics Foundation (NEF)<sup>12</sup> has pointed to studies that show that reducing working time is also better for the environment<sup>13</sup> and good for gender equality given women shoulder more than 60% of unpaid work<sup>14</sup>.

There is no natural law that governs our working time practices and norms have not stayed static over time and place. NEF modelling has shown that UK working time has lagged behind long term national trends over recent years. If average hours had continued to fall at post-war levels after 1980, then the UK should be on target to reach a 30-hour working week by 2040<sup>15</sup>. The Global Workforce Happiness Index<sup>16</sup> that studies workplace wellbeing also found that the top ten countries make work-life balance a priority with employers enacting strategies to ensure their staff achieve this.

The economy is rapidly changing as is evidenced by a recent report from the ONS that illustrated the threats automation poses to workers<sup>17</sup>, particularly women workers. The Trade Union Side believes that automation needs to deliver for ordinary people and that reducing working time without loss of pay is a crucial part of the necessary response to increased automation and digitalisation of the economy – an issue that the LGA and local authority employers have been actively exploring in recent years<sup>18</sup>. The Trade Union Side is very clear that any reduction in working hours needs to come with guarantees that there will be no loss of pay, and that workloads will proportionately decrease. Part-time staff need to be given a choice of a pro rata reduction in hours, or the ability to retain their hours and be paid a higher percentage of FTE, in recognition of the varying circumstances of different part-time staff.

The Trade Union Side is aware of a number of councils that have locally introduced a working week that is lower than the national 37 hours minimum in the NJC agreement (outside London) and also introduced additional days holiday for all staff above the NJC agreement.

The Trade Union Side believes that now is the time for the working week and holiday entitlement of staff to be improved nationally and is therefore calling for:

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<sup>9</sup> [https://www.eurekalert.org/pub\\_releases/2018-08/esoc-tav082318.php](https://www.eurekalert.org/pub_releases/2018-08/esoc-tav082318.php)

<sup>10</sup> <https://link.springer.com/article/10.1007%2Fs11482-009-9091-9>

<sup>11</sup> <https://hbr.org/2015/06/are-we-more-productive-when-we-have-more-time-off>

<sup>12</sup> <https://neweconomics.org/2018/11/five-reasons-why-nef-supports-the-4-day-week-campaign>

<sup>13</sup> [https://www.researchgate.net/publication/323366145\\_Working\\_hours\\_and\\_carbon\\_dioxide\\_emissions\\_in\\_the\\_United\\_States\\_2007-2013](https://www.researchgate.net/publication/323366145_Working_hours_and_carbon_dioxide_emissions_in_the_United_States_2007-2013)

<sup>14</sup> <https://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/earningsandworkinghours/articles/womenshouldertheresponsibilityofunpaidwork/2016-11-10>

<sup>15</sup> <https://neweconomics.org/2019/03/average-weekly-hours-fell-faster-between-1946-and-1979-than-post-1980>

<sup>16</sup> <https://universumglobal.com/insights/global-workforce-happiness-index-2/>

<sup>17</sup> <https://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/employmentandemployeetypes/articles/whichoccupationsareathighestriskofbeingautomated/2019-03-25>

<sup>18</sup> <https://www.local.gov.uk/our-support/workforce-and-hr-support/workforce-videos/working-digital-council-video>

- **A reduction of the working week to 35 hours with no loss of pay), and to 34 hours in London (so that all full-time staff receive a reduction of two hours). Part-time staff to be given a choice of a pro rata reduction, or retaining the same hours and being paid a higher percentage of FTE**
- **A minimum of 25 days annual leave plus public holidays and statutory days for all starting employees plus an extra day holiday on all other holiday rates that depend on service**
- **An agreement on a best practice national programme of mental health support for all local authorities and school staff.**

#### **4. Schools**

Problems associated with chronically low pay rates for school support staff workers are compounded by drift and inconsistency in grading structures between employers, alongside the application of notoriously complex term-term only working arrangements that often unfairly penalise support staff workers and leave employers open to challenge.

Extensive mapping of the grading of some support staff roles by the Labour Research Department has demonstrated the sometimes dramatic differences in banding by sometimes adjacent employers. Extensive work had been done before 2010 on the appropriate meaning of teaching assistant levels, which has been allowed to drift in the intervening years. This has undermined career development routes for support staff. The Trade Union Side recognises that some progress has been made under the joint review of term-time working, as reflected in the new part 4.12 guidance in the February 2019 update to the Green Book. However, guidance remains outstanding on the important issues of sickness absence and sick leave, and maternity, parental leave, shared parental leave and adoption leave.

**In light of these ongoing problems, we call on local government and schools employers to agree to:**

- **A joint review of job descriptions, routes for career developments and pay banding for school support staff.**
- **Completion of the outstanding work of the joint term-time only review group.**

#### **5. Conclusion**

For too long, local government workers' conditions of service have needed review and improvement. Many local authorities have cut various terms and conditions to save money, with a negative impact on employees' health, well-being, work-life balance and reward package.

The Covid crisis has highlighted how quickly the world of work is changing and the need for local authority employers to improve the conditions of their staff. The heroic efforts of the long-suffering local authority workforce must not go unrecognised. After this long and difficult year, faced with an unprecedented global crisis, local government workers have risen to the challenge. They have kept

the communities they serve safe and secure while continuing to provide key services. Against the odds, they have kept our country going during the greatest struggle this nation has faced in peace time.

The Trade Union Side believes our claim is just and fair, sitting alongside discussions around a national pay rise. Council and school workers deserve a better deal at work.

We look forward to entering into meaningful negotiations with the LGA on our claim - honouring the spirit of collective bargaining that is fundamental to the NJC and its success.